

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In re:

Case No. 22-10123 (MG)  
Chapter 7

BMT DESIGNERS & PLANNERS, INC.,  
fdbा BMT D&P, fdbा BMT fdbा BMT DAS US,

Debtor.

AUCTIONEER'S APPLICATION FOR COMPENSATION  
FOR THE SALE OF THE DEBTOR'S ASSETS

TO THE HONORABLE MARTIN GLENN, CHIEF UNITED STATES BANKRUPTCY JUDGE;

The application of MALTZ AUCTIONS, INC., by Richard B. Maltz, Chief Executive Officer respectfully sets forth as follows:

1. By Order of the Court entered March 11, 2022, Maltz Auctions, Inc., ("Applicant") was duly retained by Salvatore LaMonica, the Chapter 7 Trustee (the "Trustee"), as his Auctioneer to market and sell the Debtor's 2019 GMC Sierra, VIN# 2GTV2LEC8K1103131, 2015 Chevrolet Silverado, VIN# 1GC2KUE81FZ116918, 2013 Chevrolet Silverado, VIN# 1GC2KXC88DZ132695, and a 1999 Avenger Trailer, VIN# 4T6AB2029XM009817, with a Geoprobe 54DT S/N 9875T54, collectively (the "Assets").
2. Maltz conducted an online-only auction with preregistered bidders commencing on June 10, 2022, at 1:00 p.m. and concluding on June 14, 2022, at approximately 10:30 a.m. The Assets realized a gross sale total of \$105,138.00.
3. In accordance with an Order of the Court entered March 11, 2022, Applicant hereby seeks a commission based upon the established local rules for the Southern District of New York, plus reimbursement of expenses for the sale of the Assets.
4. On behalf of the estate, Applicant expended the funds necessary to facilitate the sale of the Assets providing advertising, materials and labor. Applicant expended \$231.75 for advertisement published in the New York Times on June 12, 2022, \$79.95 for advertisement posted on EquipmentTrader.com, \$150.00 to Superior Tag and Tile for two Virginia duplicate titles, \$84.52 for Federal Express to over documents and sale proceeds, \$3,500.00 to Midnight Towing for the transportation of the Assets to Statewide Auto Auction facility, \$4,361.59 for invoices from Statewide Auto Auction, Inc., for storage, auction preparation, mechanical and other fees, \$708.65 for labor for obtaining duplicate titles, preparation of Trustee's bills of sale and related sale documents, preparation of asset specific marketing materials for advertising, collecting sale proceeds and preparing the Report of Sale.
  - i. At the request of the Trustee, once Assets were located, Applicant arranged for the Debtor's Assets to be brought to Statewide Auto Auction, Inc., ("Statewide"), 39 Windsor Place, Central Islip, New York. Statewide is a full service auto auction facility of which your Applicant is a principal and which conducts auctions of bank repossessed, off-lease, and Assets seized by various taxing authorities.
  - ii. An inspection was performed and a condition report on the Assets was prepared at the time of the arrival of the Assets.
  - iii. The value of the Assets was researched, and an analysis was prepared to review with the Trustee.
  - iv. Applicant coordinated the services of Superior Auto Tag and Title Service, Inc., and prepared documents to obtain duplicate Virginia titles for two of the Debtor's Assets.
  - v. Applicant prepared an asset-specific webpage and an advertisement on the primary multi-asset auto auction webpage which were posted on Applicant's website www.MaltzAuctions.com at no cost to the Debtor's estate. The asset-specific webpage generated 1,720 hits and the multi-asset auction webpage generated 4,384 hits for a combined total of 6,104 hits from interested parties.

- vi. An advertisement was published in the New York Times on June 12, 2022.
- vii. An advertisement was posted on EquipmentTrader.com commencing on May 24, 2022 and continuing through and including June 14, 2022.
- viii. An advertisement was posted on Geoprobe.com at no cost to this estate.
- ix. Notice of this auction was e-mailed weekly to more than 42,000 potential bidders on the Applicant's email mailing list prior to the auction sale at no cost to this estate.
- x. Google search engine marketing was utilized at no cost to this estate.
- xi. Applicant's labor efforts included troubleshooting the Geoprobe 54DT to get it started and removing it from the trailer for the inspections with interested parties.
- xii. The necessary sale documents were prepared to transfer ownership of the Assets to the successful bidders.
- xiii. On June 10, and 13, 2022, from 9:00 a.m. to 3:30 p.m. and on June 14, 2022, from 9:00 a.m. to 10:00 a.m. a public inspection of the Assets was held at 39 Windsor Place, Central Islip, New York.
- xiv. Maltz conducted an online-only auction with preregistered bidders commencing on June 10, 2022, at 1:00 p.m. and concluding on June 14, 2022, at approximately 10:30 a.m. The public auction was held with preregistered bidders who posted the required deposit and signed Terms and Conditions of Sale.
- xv. The sale proceeds collected from the successful bidder related to the sale of the Assets were \$105,138.00.
- xvi. Applicant sent a gross sale proceeds check in the amount of \$105,138.00 to the Trustee.

4. Applicant seeks an Order awarding Applicant a commission of \$8,705.52 plus reimbursement of expenses of \$9,116.46 for the sale of the Assets.
5. Wherefore, Applicant requests entry of an order (i) approving this application; (ii) authorizing the Trustee to pay Applicant commission in the amount of \$8,705.52 and reimbursement of expenses in the amount of \$9,116.46 for the sale of the Assets from the proceeds of the sale; and granting such other and further relief as is just. No previous application has been made to this or any other Court for the relief requested herein.

Date: Central Islip, New York

July 18, 2022

  
Maltz Auctions, Inc.  
By Richard B. Maltz, Chief Executive Officer  
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